

Appl. No. 10/824,857
Docket No. 2102487-991181
Response to Office Action of April 28, 2005

REMARKS/ARGUMENTS

Claims 8-16 are pending in this application. Claims 8-16 have been rejected. Claims 8 and 16 have been amended. Claim 11 has been cancelled without prejudice. Reconsideration is respectfully requested.

The acceptance of the drawings is noted.

The acknowledgement of the claim for foreign priority under 35 U.S.C. §119 is noted.

Claims 8-16 have been rejected under 35 U.S.C. §102(e) as being anticipated by *Igarashi et al.* (U.S. Patent No. 6,546,540).

Claim 8 has been amended to recite in part "setting a connection pattern having an octagon connecting said first and second lines at an intersection point of a longitudinal center line of said first line and a longitudinal center line of said second line." Claim 11 has been cancelled without prejudice.

As understood, *Igarashi* at best nearly discloses an automatic layout method with a first line having a first line width that is generated in a prescribed direction. A second line having a second line width and extending at an oblique angle with respect to the first line is generated, so that the second line terminates at an end point of the first line with an overlapped area. One or more via patterns are read out of the database according to the shape of the overlapped area. The shape of the via pattern is a combination of *parallelograms*, including squares and rectangles. (See abstract). *Igarashi* does not disclose or even suggest "setting a connection pattern having an *octagon*..." as recited in Claim 8. (emphasis added) Applicant has conducted a word search of *Igarashi* and cannot find the word "octagon" in *Igarashi*. In the rejection of cancelled Claim 11, which recites a polygon that is octagonal, it is asserted that *Igarashi* teaches such polygon on column 9, lines 15-16 and in figures 4-5. As understood this referenced section merely discloses a connection pattern 15b that is a *parallelogram*. Further, Applicant does not find an octagonal shape in figures 4-5 of *Igarashi*. Lacking at least this claim feature, *Igarashi* cannot render Claim 8 unpatentable. Because Claims 9-10 and 12-15 depend on Claim 8, for similar reasons *Igarashi* cannot render Claims 9-10 and 12-15 unpatentable. Therefore, it is respectfully submitted that Claims 8-10 and 12-15 are patentable over the references record.

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Claim 16 has been amended to recite in part "forming an octagon via hole penetrating through said level interlayer insulating film." For similar reasons to those discussed above in conjunction with Claim 8, *Igarashi* cannot render Claim 16 unpatentable. Therefore, it is respectfully submitted that Claim 16 is patentable over the references of record.

Withdrawal of the rejection is respectfully requested.

For the foregoing reasons, it is respectfully submitted that the claims are in an allowable form, and action to that end is respectfully requested.

The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account Number 07-1896, referencing docket number 2102487-991181.

Respectfully submitted,

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